

REMARKS

Claims 1- 20 are pending.

Claim 1 has been amended to recite, *inter alia*, the operating handle attachment being a single-piece with integral handle-engaging and interfacing segments. See, for example, Figures 1 and 2 and the corresponding disclosure.

Claims 4 and 5 have been indicated as being allowable. Claim 4 has been rewritten in independent form, in the manner indicated as being allowable by the Examiner.

Independent Claims 15 and 18 have been amended, respectively, to recite, *inter alia*, the second switching apparatus being a independently pivotable switching apparatus and the connector which connects the second independently pivotable switching apparatus to first electrical switching apparatus being a rigid connector. See, for example, Figures 1 and 11 and the corresponding disclosure.

Claims 16-17 and 19-20 which depend from independent Claims 15 and 18, respectively, have been similarly amended to reflect the amendments made to those respective independent claims.

A fee sheet and a duplicate copy thereof accompany this Amendment.

Rejections under 35 U.S.C. 102(e)

The Examiner rejects Claims 1-3 on the ground of being anticipated by U.S. Patent No. 6,710,274 (Whetzel et al.).

Claim 1 has been amended to recite, *inter alia*, an operating handle attachment for use with an electrical switching apparatus interface assembly including an operating handle, an actuator disposed remote from the operating handle, and a connector therebetween, the operating handle attachment comprising: a handle-engaging segment structured to securely engage the operating handle; and an interfacing segment structured to receive the connector, in order to link the operating handle to the actuator, the interfacing segment being integral with the handle-engaging segment in order that the operating handle attachment is a single-piece.

Whetzel et al. does not teach or suggest all of the elements of the refined recital of amended independent Claim 1 and, therefore, does not anticipate the claim. Specifically, the reference does not teach or suggest a *single-piece* operating handle attachment wherein the interfacing segment is *integral* with the handle-engaging segment. Conversely, Whetzel et al. teaches an operating handle attachment that requires a plurality of complex components. Specifically, the connecting arm 84 of base 78 (Figure 2; column 3,

lines 19-22) of the actuating assembly 54 of Whetzel et al., which the Examiner analogizes to the claimed interfacing segment, is an entirely separate component from the bar member 102 (Figure 2; column 3, lines 32-33) which the Examiner likens to the claimed handle-engaging segment. Accordingly, this at least two component assembly, which also requires a plurality of pivot pins (e.g., pin 96 of Figure 2) not only fails to teach or suggest the recited *single-piece* handle attachment of amended independent Claim 1, it in fact, teaches away therefrom.

Claims 2 and 3 depend, either directly or indirectly, from amended independent Claim 1 and through such dependency, are also patentable over the reference. Claims 2 and 3 are further patentable over the reference for the following reasons.

Regarding Claim 2, the Examiner again analogizes the separate components 102 and 84 (see, for example, Figure 2) of the Whetzel et al. reference to the claimed handle-engaging segment and interfacing segment. Moreover, the Examiner states that “the interfacing segment 84 includes at least one tab 80 and 94 disposed on the member 104, 105, 110 and 112;...the at least one tab having an opening 94 for receiving the connector 102.” This is incorrect. Specifically, the Examiner is stating that component 84 includes tabs 80, 94, but then proceeds to state that those tabs are disposed on member 104, 105, 110 and 112. As shown, for example, in Figure 2 of the reference, 104, 105, 110 and 112 comprise portions of bar 102 which is an entirely separate component from connecting arm 84. The Examiner further scrambles the components and associated reference numbers of the Whetzel et al. reference by stating that component 102 comprises both a handle-engaging segment and a connector 102, which is clearly incorrect, and also incorrectly states that both the tab and the opening of the tab are taught by element 94 of the reference. It is submitted that the opposing tab 80, 94 structure of Whetzel et al. which, at best, receives end 104 of bar 102 that is pinned therebetween (see, for example, Figure 2) comprises an entirely different structure that does not teach or suggest, and in fact teaches away from the recited tab (e.g., tab 36 of the application) of the claimed single-piece operating handle attachment.

Regarding Claim 3, it is submitted that the reference, which at best teaches “a pair of downwardly extending tangs or posts 108, 110, within intermediate cavity or cradle 112 into which the toggle arm 12 is seated” (emphasis added) (column 3, lines 40-45; Figure 2), does not teach or suggest the *handle-receiving aperture* or the at least one projection recited in Claim 3. Such projection, in accordance with the invention, *engages and secures* the operating handle rather than defining a cradle 112 into which a toggle arm 12 is seated. More specifically, the claimed aperture (e.g., handle-receiving apertures 42, 43 of Figures 1 and 2) receives handle 18 and includes projections 44 (e.g., teeth 44 of Figures 1 and 8 of the

application) which *engage and secure* the handle 18 rather than merely serving as a seat for a toggle arm.

Accordingly, in view of the foregoing, it is submitted that Claims 1-3 are patentable over the reference.

Rejections Under 35 U.S.C. 103(a)

The Examiner rejects Claims 6-9 and 11-14 on the ground of being unpatentable over Whetzel et al. in view of U.S. Patent No. 3,821,532 (Isaac).

Isaac, Jr. et al., which discloses a handle extension assembly mounted on the external portion of an operating handle of a molded case circuit breaker, adds nothing to Whetzel et al., which discloses a multi-component actuator, to render the invention obvious. Specifically, neither Whetzel et al. nor Isaac, Jr. et al., whether taken individually or in combination, teaches or suggests the single-piece operating handle attachment of the refined recital of amended independent Claim 1. There is also no motivation to combine the references and, in fact, it is submitted that to combine the references would require at least partial destruction of the individual teachings thereof in a manner not taught or suggested by the prior art.

Claims 6-9 and 11-14 depend, either directly or indirectly, from amended independent Claim 1, include all of the limitations thereof, and, through such dependency, are also patentable over the cited references. Claims 8, 9, 11, 12 and 14 are not separately asserted to be patentable apart from their dependency on amended independent Claim 1. Claims 6, 7 and 13 are further patentable over the references for the following additional reasons.

Regarding Claim 6, it is submitted that Isaac, Jr. et al. does not teach or suggest a clamping *segment* having opposing sides for receiving the operating handle therebetween, as claimed. Conversely, at best, the base portion (analogized by the Examiner to the exemplary clamping segment) comprises a pair of identical but separate mounting blocks 16 (best shown in Figure 3; column 1, line 64 through column 2, line 11) and further requires separate insert plates 17 (see also Figure 4; column 2, lines 5-6) to engage the circuit breaker handle (Figure 3). Accordingly, the Isaac, Jr. et al. reference individually, or in combination with Whetzel et al., does not teach or suggest, but in fact teaches away from the *single-piece* operating handle attachment of amended Claim 1. As neither of the references teaches or suggests such single-piece operating handle attachment, they clearly neither teach nor suggest this further recital which further patentably distinguishes the invention.

Regarding Claim 7, it is submitted that components 24 and 40 of Isaac, Jr. et al. comprise rivets 24 (column 2, line 14) in aligned openings 26 (column 2, lines 14-16) and not a pair of spaced apart fasteners which *extend between the opposing sides*, as claimed.

Regarding Claim 13, it is again submitted that element 24 of Isaac, Jr. et al. is a rivet (column 2, line 14), thereby teaching away from the recited *threaded fastener*. Moreover, the rivet 24, unlike the claimed threaded fastener (*e.g.*, fastener 244 of Figure 7 of the application) does not engage the operating handle but rather engages the separate plates 17 (Figure 3; column 2, lines 5-6 of Isaac, Jr. et al.) to move them towards one another.

Accordingly, in view of the foregoing, it is submitted that the references alone, or in combination, do not teach or suggest Claims 6-9 and 11-14, which patentably distinguish over the references.

Rejections Under 35 U.S.C. 102(b)

The Examiner rejects Claims 15-20 on the ground of being anticipated by U.S. Patent No. 3,496,320 (Wasileski).

Specifically, the Examiner states that Wasileski teaches all of the elements of Claims 15 and 18. Applicants respectfully traverse this statement and submit that the reference, in fact, does not teach or suggest at least some of the elements recited in each of Claims 15 and 18, as amended, and, therefore, does not anticipate the claims under 35 U.S.C. Section 102(b).

Claims 15 and 18 recite an electrical switching apparatus interface assembly and a power distribution system, respectively, each including, *inter alia*, a first electrical switching apparatus including a housing having an opening and an operating handle protruding from the opening; a second independently pivotable switching apparatus disposed remote from the first electrical switching apparatus, in order to permit remote actuation of the operating handle of the first electrical switching apparatus; a rigid connector including a first portion linking the second independently pivotable switching apparatus and a second portion; and an operating handle attachment comprising: a handle-engaging segment securely engaging the operating handle of the first electrical switching apparatus; and an interfacing segment receiving the second portion of the rigid connector, in order to link the operating handle of the first electrical switching apparatus to the second independently pivotable switching apparatus.

At best, Wasileski teaches a handle extension for attachment to the handle 26 of an electrical control device 21 (Figures 2-5; column 2, line 70 through column 3, line 8). As stated at column 2, lines 47-51, the extension or operating mechanism 10 as shown, for

example in Figure 2 of the reference, comprises a bracket or support member 15, a handle adapter or gripping member 16, an escutcheon 17, and a knob 18. Accordingly, Wasileski, which at best teaches a knob 18 that does not pivot but is merely disposed on the end of the straight screw member 35 with a concentric sleeve 37 (Figures 2-3; column 3, lines 4-9), fails to teach or suggest a second *independently pivotable* switching apparatus which, as contemplated by the invention, is an independently pivotable actuator disposed remote from the operating handle of the first electrical switching apparatus and is connected to the first electrical switching apparatus by a rigid connector (see, for example, Figures 1 and 11 and the corresponding disclosure of the application). Accordingly, the reference does not teach all of the elements of Claims 15 and 18 and, therefore, does not anticipate the claims. Moreover, the extension member taught by the reference which comprises a straight screw 35 and knob 18 which is not independently pivotable arguably teaches away from the recital of a second independently pivotable switching apparatus as recited in Claims 15 and 18 of the invention.

The Examiner states that the reference teaches a connector 37 (element 37 is a concentric sleeve on screw member 35 as stated at column 3, lines 5-9) linking the second switching apparatus (knob 18 as shown in Figures 2 and 3). Again, it is respectfully submitted that knob 18 does not teach or suggest a second *independently pivotable* switching apparatus since it merely threads onto the end of screw 35, as best shown in Figure 2. It is also noted that the Examiner incorrectly states that Wasileski teaches an interfacing segment 34. Component 34 of the reference is disclosed as comprising screws 34 for tightening wings 33 of adapter 16 (Figures 2 and 3; column 3, line 1-4). The Waskileski reference, which does not teach or suggest the recited second independently pivotable switching apparatus, at best teaches a screw member 35 with concentric sleeve 37 and thus also fails to teach or suggest the recited rigid connector interconnecting the second independently pivotable switching apparatus and the first switching apparatus.

Accordingly, in view of the foregoing, it is submitted that independent Claims 15 and 18 are patentable over the reference.

Claims 16-17 and 19-20 depend, respectively, from Claims 15 and 18 and, through such dependency, are also patentable over the reference. Claim 17 is not separately asserted to be patentable apart from its dependency on independent Claim 15. Claims 16, 19 and 20 are further patentable for the following reasons.

Regarding Claims 16 and 19, both of the claims recite, *inter alia*, the second independently pivotable switching apparatus including an actuating handle having first and

second positions. As previously discussed, Wasileski which, at best, teaches a knob 18 threaded onto screw 35, does not teach or suggest a second *independently pivotable* switching apparatus. Accordingly, the reference clearly does not teach or suggest this further recital of such second independently pivotable switching apparatus comprising an actuating handle having first and second positions.

Regarding Claim 20, contrary to the Examiner's statement at page 6 of the Office Action that the reference teaches "the actuating handle 18 includes a connector tab 37 extending through the external panel 15 of the switchgear cabinet...", the reference in fact does not teach or suggest a connector tab as contemplated by the invention. Conversely, component 37 of Wasileski, as previously discussed, comprises the concentric sleeve 37 which surrounds the screw 35. The screw 35, as shown in Figures 2 and 3 is disposed between gripping member 16 and knob 18. Contrary to the allegation of the Examiner, it is not coupled to the connector tab of the actuating handle at its first end and to the interfacing segment at its second end, as claimed. Specifically, knob 18 is not a second *independently pivotable* switching apparatus as contemplated by the invention, and knob 18 which, at best, threads onto the end of screw 35, does not include the recited *connector tab*.

Accordingly, it is submitted that Claims 15-20 are patentable over the Wasileski reference.

In view of the foregoing, it is submitted that Claims 1-20 are patentable over the references of record.

Allowable Subject Matter

It is noted with appreciation that the Examiner states that Claims 4 and 5 would be allowable if rewritten in independent form, as suggested by the Examiner. Claim 4 has been rewritten, as suggested. Claim 5 depends from amended Claim 4 and is also in condition for allowance.

Summary and Conclusion

In summary, it is submitted that Claims 1-20 are patentable over the references of record.

Reconsideration and early allowance of the claims, as now presented, are requested.

Respectfully submitted,



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